

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-5 and 7-138 are pending in this case, Claims 7-9, 12-24, 26, 28-31, 33-40, 70-104, 115-128, and 132-137 having been previously withdrawn; Claims 1-5, 7-24, 26-69, 105-114, and 129-131 having been amended; and Claim 138 having been added. Amended Claims 1-5, 7-24, 26-69, 105-114, and 129-131 are supported by original claims, drawings, and specification as originally filed.¹ No new matter has been added.

In the outstanding Office Action, Claims 1-5, 10-11, 25, 27, 32, 41-69, 105-114, and 129, 131 were rejected under 35 U.S.C. §101; Claims 41-44, 47, 49, 51-53, 56-58, 61, 63, 65, 66, and 68 were rejected under 35 U.S.C. §112, first paragraph; Claims 1-4, 10, 25, 32, 41-46, 48-51, 53-54, and 129-130 were rejected under 35 U.S.C. §102(b) as anticipated by Dray, Jr. et al. (U.S. Patent Publication No. 2002/0184485, hereinafter “Dray”). Claims 129-130 were rejected under 35 U.S.C. §102(b) as anticipated by Miyazaki et al. (U.S. Patent Publication No. 2001/0044780; hereinafter “Miyazaki”); Claims 5, 47, and 52 were rejected under 35 U.S.C. §103(a) as unpatentable over Dray; Claims 11 and 55-69 were rejected under 35 U.S.C. §103(a) as unpatentable over Dray in view of Raman (U.S. Patent No. 6,249,794); Claim 27 was rejected under 35 U.S.C. §103(a) as unpatentable over Dray in view of Wagner (U.S. Patent Publication No. 2004/0006562); Claim 131 was rejected under 35 U.S.C. §103(a) as unpatentable over Miyazaki; and Claims 105-112, and 114 were rejected under 35 U.S.C. §103(a) as unpatentable over Miyazaki in view of Anderson et al. (U.S. Patent No. 6,021,202; hereinafter “Anderson”); and Claim 113 was rejected under 35 U.S.C. §103(a) as unpatentable over Miyazaki in view of Anderson and further in view of Hidalgo et al. (U.S. Patent Publication No. 2003/0051142; hereinafter “Hidalgo”).

¹ See page 65, line 18 to page 66, line 6; and page 139, line 13 to page 140, line 23 of the specification.

In response to the rejection of Claims 1-5, 10-11, 25, 27, 32, 41-69, 105-114, and 129, 131 under 35 U.S.C. §101, independent Claims 1, 55, 65, 105, and 129 have been amended to define a computer-readable storage medium storing an electronic document file. MPEP 2106

IV.B.1(a) states that:

A claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory.

In view of the presently submitted claim amendments and foregoing comments Applicants respectfully submits that Claims 1, 55, 65, 105, and 129 define statutory subject matter. Accordingly, Applicants respectfully requests that the rejection under 35 U.S.C. § 101 be withdrawn.

In response to the rejection of Claim 41-44, 47, 49, 51-53, 56-58, 61, 63, 65, 66, and 68 under 35 U.S.C. §112, first paragraph, Applicants have amended these claims to correct the informality noted in the outstanding Office Action.

Accordingly, Applicants respectfully request the rejection of Claims 41-44, 47, 49, 51-53, 56-58, 61, 63, 65, 66, and 68 under 35 U.S.C. §112, first paragraph, be withdrawn.

In response to the rejections under 35 U.S.C. §102(b) and §103(a), Applicants respectfully submit that amended independent Claim 1 recites novel features clearly not taught or rendered obvious by the applied references.

Amended independent Claim 1 is directed to a computer-readable storage medium storing an encapsulated document structure including, *inter alia*:

... a document information file storing document information that is a substance of expression of a document;

an operating program file storing an operating program that materializes the document information, a limitation being given to the operating program by a security function when the operating program is interpreted and executed by a computer,

wherein the document information file and the operating program file are encapsulated as a single document, and

wherein said operating program is initiated by an external start program so as to limit interpretation and execution of said operating program when a program code has been altered.

Independent Claims 55, 65, 105, and 129 recite similar features as Claim 1 and thus the arguments presented below with respect to Claim 1 are also applicable to independent Claims 55, 65, 105, and 129.

Page 5 of the outstanding Office action states that paragraph [0089] of Dray describes that “said operating program is initiated by cancelling the limitation of the security function by an external start program.” However, Applicants respectfully submit that Dray fails to teach or suggest that “said operating program is initiated by ***an external start program so as to limit interpretation and execution of said operating program when a program code has been altered,***” as recited in Amended independent Claim 1.

Paragraph [0089] of Dray describes:

Embedding the CMP in an SEDO is an important step in the method of creating self-encrypting documents according to the invention, as the CMP manages encryption and decryption of the host document object. The CMP is activated by events that occur within the context of the host document object, e.g. a user clicking on a button that is an element of the document. A CMP may be physically embedded within the host document, or may be an external program file that is executed through a link within the document. Similarly, the encryption algorithm itself may be embedded within the SEDO, essentially as part of an embedded CMP, or may be linked to the SEDO by a link in the CMP. Hence both the CMP and the algorithms may be embedded into or linked to the program.

Thus, paragraph [0089] of Dray merely describes that a cipher management program (CMP) may be physically embedded within the host document, or may be an external program file that is executed through a link within the document. However, Dray does not

describe that the CMP is initiated by an external start program that limits the interpretation and execution of said operating program *when a program code has been altered*.

Accordingly, Applicants respectfully submit that independent Claims 1, 55, 65, 105, and 129 (and all claims depending therefrom) patentably define over Dray.

Further, Applicants respectfully submit that Miyazaki, Wagner, Anderson, Raman, and Hidalgo fail to cure any of the above-noted deficiencies of Dray.

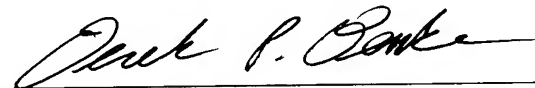
In order to vary the scope of protection recited in the claims, new Claim 138 is added. New Claim 138 finds non-limiting support in the disclosure as originally filed, for example at page 129, line 8 to page 130, line 16.

Therefore, the changes to the claims are not believed to raise a question of new matter.²

Consequently, in view of the present amendment, and in light of the above discussion, the pending claims as presented herewith are believed to be in condition for formal allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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² See MPEP 2163.06 stating that "information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter."